

(A) Regulation IV, Rules 404 Particulate Matter-Concentration, 405 Particulate Matter-Weight, and Rule 473, Disposal of Solid and Liquid Wastes, submitted on June 6, 1977 are disapproved. Rules 52, Particulate Matter-Weight, 54, Dust and Fumes, and 58, Disposal of Solid and Liquid Wastes, submitted in 1972 and approved under 40 CFR 52.223, are retained.

[37 FR 10850, May 31, 1972, as amended at 37 FR 19813, Sept. 22, 1972; 43 FR 35695, Aug. 11, 1978; 43 FR 40014, Sept. 8, 1978; 64 FR 49400, Sept. 13, 1999]

**§ 52.229 Control strategy and regulations: Photochemical oxidants (hydrocarbons), Metropolitan Los Angeles Intrastate Region.**

(a) [Reserved]

(b) The following rules are disapproved because they would result in a relaxation of control requirements contained in the presently approved State Implementation Plan, and no analysis has been presented to show that this relaxation will not interfere with the attainment and maintenance of NAAQS for photochemical oxidants (hydrocarbons) as required by section 110 of the Clean Air Act.

(1) Southern California APCD.

(i) Regulation IV, Rule 465 Vacuum Producing Devices or Systems, submitted on August 2, 1976.

(2) South Coast Air Quality Management District.

(i) Regulation IV, Rule 461 Gasoline Transfer and Dispensing, submitted on June 6, 1977. The version of this rule by the same number and title submitted on April 21, 1976 and approved under 40 CFR 52.223 is retained.

(ii) Rule 1115, Automotive Coatings, adopted on March 16, 1984 by the District and submitted by the state to EPA on July 10, 1984.

(iii) Rule 1113, Architectural Coatings, adopted on August 2, 1985 and submitted to EPA on November 12, 1985. The version of this rule by the same number and title submitted on July 10, 1984 and approved by EPA on January 24, 1985 is retained.

(c) The rescission by the Southern California APCD of the following rules, which were previously approved in the September 22, 1972 (37 FR 19813) FEDERAL REGISTER issue, is disapproved

since adequate replacement rules have not been submitted and no analysis has been presented to show that this rescission will not interfere with the attainment and maintenance of the NAAQS for photochemical oxidants (hydrocarbons) as required by section 110 of the Clean Air Act. In addition, the following rules, as submitted in June 1972 and approved for the SIP, remain federally enforceable:

(1) Los Angeles County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.

(2) San Bernardino County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.

(3) Riverside County APCD, Regulation IV, Rule 74, Vacuum Producing Devices or Systems.

(4) Orange County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.

[37 FR 10850, May 31, 1972, as amended at 43 FR 25687, June 14, 1978; 43 FR 40014, Sept. 8, 1978; 46 FR 5978, Jan. 21, 1981; 54 FR 5237, Feb. 2, 1989; 54 FR 34515, Aug. 21, 1989]

**§ 52.230 Control strategy and regulations: Nitrogen dioxide.**

(a) The requirements of § 52.14(c)(3) of this chapter as of September 22, 1972 (47 FR 1983), are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through application of reasonably available control technology in the Metropolitan Los Angeles Intrastate Region. Therefore, Rule 68.b of the Orange County Air Pollution Control District is disapproved.

(b) The following rules are disapproved since they are not part of the approved control strategy and do not provide for the degree of control necessary for the attainment and maintenance of NAAQS for nitrogen dioxide in the Metropolitan Los Angeles Intrastate AQCR:

(1) Orange County APCD, Regulation IV, Rule 474, Fuel Burning Equipment—Oxides of Nitrogen, submitted on February 10, 1977.

(c) The rescission by the Southern California APCD of the following rules is disapproved since adequate replacement rules have not been submitted and no analysis has been presented to

show that this rescission will not interfere with the attainment and maintenance of the National Ambient Air Quality Standards as required by section 110 of the Clean Air Act. In addition, the following rules, as submitted in June 1972 and approved for the SIP, remain federally enforceable:

(1) Orange County APCD, Regulation IV, Rule 68, Fuel Burning Equipment—NOx.

(2) Orange County APCD, Regulation IV, Rule 67.1, Fuel Burning Equipment.

[43 FR 25687, June 14, 1978, as amended at 46 FR 3884, Jan. 16, 1981; 51 FR 40677, Nov. 7, 1986]

**§ 52.231 Regulations: Sulfur oxides.**

(a) [Reserved]

(b) The deletion of the following rules or portions of rules is disapproved, since an adequate control strategy demonstration has not been submitted indicating that the deletions of the control requirements contained in those rules would not interfere with the attainment or maintenance of the National Ambient Air Quality Standard for Sulfur Oxides.

(1) Lake County Intrastate Region.

(i) Lake County, APCD.

(A) Section 3(F), *Sulfur* of Part V, *Prohibitions and Standards*, submitted on October 23, 1974 and previously approved under 40 CFR 52.223, is retained as applicable to sources other than sulfur recovery units.

[43 FR 34464, 34466, Aug. 4, 1978, as amended at 46 FR 3884, Jan. 16, 1981; 46 FR 42461, Aug. 21, 1981]

**§ 52.232 Part D conditional approval.**

(a) The following portions of the California SIP contain deficiencies with respect to Part D of the Clean Air Act which must be corrected by meeting the indicated conditions of Part D plan approval.

(1) Imperial County for ozone.

(i) By May 7, 1981, the NSR rules must be revised and submitted as an SIP revision. The rules must satisfy section 173 and 40 CFR Subpart I, “Review of new sources and modifications.”

In revising the Imperial County APCD’s NSR rules, the State/APCD must address (A) any new requirements

in EPA’s amended regulations for NSR under section 173 of the Clean Air Act (August 7, 1980, 45 FR 52676) which the APCD rules do not now satisfy and (B) those deficiencies cited in EPA’s Evaluation Report Addendum (contained in Document File NAP-CA-06 at the EPA Library in Washington, DC and the Region IX office).

(ii) By January 1, 1981, a cutback asphalt rule which reflects reasonably available control technology (RACT) must be submitted as an SIP revision.

(2) North Central Coast Air Basin for ozone.

(i) By May 7, 1981, the NSR rules must be revised and submitted as an SIP revision. The rules must satisfy section 173 and 40 CFR 51.18, “Review of new sources and modifications.” In revising the Monterey Bay Unified APCD’s NSR rules, the State/APCD must address (a) any new requirements in EPA’s amended regulations for NSR under section 173 of the Clean Air Act (August 7, 1980, 45 FR 52676) which the APCD rules do not now satisfy and (b) those deficiencies with respect to the September 5, 1979 notice cited in EPA’s Evaluation Report Addendum (contained in Document File NAP-CA-14 at the EPA Library in Washington, DC and the Region IX office).

(ii) By March 4, 1981, one of the following must be submitted as an SIP revision: (a) Adequate justification that the cutback asphalt rule represents RACT, (b) amendment of the cutback asphalt rule to conform with the controls recommended in the CTG document for cutback asphalt, or (c) adequate documentation that the cutback asphalt rule will result in emission reductions which are within 5 percent of the reductions achievable with the controls recommended in the cutback asphalt CTG document.

(3) South Coast Air Basin.

(i)(A) By May 7, 1981, the NSR rules must be revised and submitted as an SIP revision. The rules must satisfy section 173 of the Clean Air Act and 40 CFR 51.18, “Review of new sources and modifications.” In revising the South Coast AQMD’s NSR rules, the State/AQMD must address (1) any new requirements in EPA’s amended regulations for NSR (45 FR 31307, May 13, 1980 and 45 FR 52676, August 7, 1980) which